

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

BRIAN E. LEPLEY,)	3:11-cv-00781-LRH-WGC
)	
Plaintiff,)	<u>MINUTES OF THE COURT</u>
)	
vs.)	April 9, 2013
)	
ROBERT LEGRAND, <i>et al.</i> ,)	
)	
Defendant.)	
_____)	

PRESENT: THE HONORABLE WILLIAM G. COBB, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: KATIE LYNN OGDEN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Before the court is Plaintiff's "Motion to Strike Defendants' Objections" (Doc. # 146). Although Plaintiff's motion is difficult to interpret, it appears Plaintiff is seeking to strike Defendants' "Response to Discovery Objection" (Doc. # 138) which was filed in response to Plaintiff's "Objection That a Fact is Not Supported by Admissible Evidence FRCP Rule 56-2 Summary Judgment" (Doc. # 128).

By way of background information, at the court's February 21, 2013 status conference, the court addressed Plaintiff's motion to compel (Doc. # 126) (*see* Minutes, Doc. # 131). Plaintiff stated that he received answers to Defendant Widmar's first set of interrogatories (Nos. 1-18). Plaintiff's second set of interrogatories (Nos. 1-7) were served at a later date but Plaintiff indicated he had not received responses to the second set. (*See* Doc. # 131 at 3.) Deputy Attorney General Hagen represented that he was unaware of a second set of interrogatories. (*Id.*) The court directed the parties to discuss the second set of interrogatories, and should it be found that they had not been served, Plaintiff was directed to re-serve them so Defendant Widmar can respond. (*Id.*)

With respect to the interrogatories, Plaintiff was previously instructed that if they had not been served that he re-serve them on Defendant Widmar. However, at the hearing, the court encouraged counsel to accept service of the interrogatories so that Defendant Widmar can respond. The court notes that Plaintiff attempted to file his Second Set of Interrogatories to Defendant Widmar (Doc. # 142). These interrogatories are dated "10 Mar 13" (Doc. # 142-1 at 3) and reflect a certificate of service of the same date (*id.* at 4). The court assumes Doc. # 142-1 is a handwritten copy of an earlier "original." Nevertheless, the representation of Defendants' counsel that counsel did not receive the original service is accepted by the court.

